

2021 AUG 12 PM 2:45

DIANE GONZALES
ATASCOSA COUNTY CLERK**APPOINTMENT OF SUBSTITUTE TRUSTEE AND**
NOTICE OF SUBSTITUTE TRUSTEE SALEBY K. Martin DEPUTY

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Troy Martin, Deborah Martin, Cassie Martin, Alexis Martin, Elizabeth Anderson, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

SUBSTITUTE TRUSTEE'S

ADDRESS: c/o JACK O'BOYLE & ASSOCIATE, PLLC, Mailing Address: P.O. Box 815369, Dallas, Texas 75381; Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE
TRUSTEE SALE:**

WHEREAS, default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on September 07, 2021 between the hours of 12pm-3pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

LOCATION OF SALE:

The place of the sale shall be: At the west porch to the Atascosa County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in ATASCOSA County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE
FORECLOSED:**

Deed of Trust or Contract Lien dated 05/17/2006 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NO. 82333 in the real property records of Atascosa County Texas, with ROBERT N. MCBEE AND LUCY A. MCBEE, HUSBAND AND WIFE as Grantor(s) and NEW CENTURY MORTGAGE CORPORATION as Original Mortgagee.

OBLIGATIONS SECURED:

Deed of Trust or Contract Lien executed by ROBERT N. MCBEE AND LUCY A. MCBEE, HUSBAND AND WIFE securing the payment of the indebtedness in the original principal amount of \$200,000.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by ROBERT N. MCBEE, LUCY A. MCBEE, WELLS FARGO BANK N.A., AS TRUSTEE, FOR CARRINGTON MORTGAGE LOAN TRUST, SERIES 2006-NC3 ASSET-BACKED PASS-THROUGH CERTIFICATES is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING
INFORMATION:**

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC is acting as the Mortgage Servicer for WELLS FARGO BANK N.A., AS TRUSTEE, FOR CARRINGTON MORTGAGE LOAN TRUST, SERIES 2006-NC3 ASSET-BACKED PASS-THROUGH CERTIFICATES who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

1790 W. GOODWIN ST



WELLS FARGO BANK N.A., AS TRUSTEE, FOR CARRINGTON
MORTGAGE LOAN TRUST, SERIES 2006-NC3 ASSET-BACKED PASS-
THROUGH CERTIFICATES

c/o CARRINGTON MORTGAGE SERVICES, LLC
1600 SOUTH DOUGLASS ROAD, SUITE 200-A
ANAHEIM, CA 92806

**LEGAL DESCRIPTION OF
PROPERTY TO BE SOLD:**

A SURVEY OF 5.000 ACRES OF LAND SITUATED IN PART WITHIN THE CORPORATE LIMITS OF THE CITY OF PLEASANTON, ABOUT 4 MILES N 36° E OF JOURDANTON, IN ATASCOSA COUNTY, TEXAS, OUT OF SURVEY NO. 1550, ABSTRACT NO. 565, NANCY MCADA, ORIGINAL GRANTEE, BEING A PORTION OF THAT CERTAIN 47.050 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT N. MCBEE, ET UX FROM BERNICE RICH A/K/A LOIS BERNICE RICH, INDIVIDUALLY, AND AS TRUSTEE OF MARVIN & BERNICE RICH LIVING TRUST, DATED AUGUST 20, 1998, AS RECORDED IN VOLUME 99 ON PAGE 224 OF THE OFFICIAL PUBLIC RECORDS OF ATASCOSA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: AT A 3" DIAMETER PIPE CORNER POST FOUND ON THE NORTH LINE OF F.M. HIGHWAY 3350 (WEST GOODWIN STREET) FOR THE LOWER SOUTHWEST CORNER OF SAID 47.050 ACRE TRACT OF LAND, THE SOUTHEAST CORNER OF THAT CERTAIN 1.62 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT N. MCBEE, ET UX FROM BERNICE RICH, TRUSTEE OF THE MARVIN T. RICH TESTAMENTARY TRUST, DATED JUNE 28, 2004, AS RECORDED IN VOLUME 283 ON PAGE 202 OF THE AFOREMENTIONED OFFICIAL PUBLIC RECORDS, AND THE LOWER SOUTHWEST CORNER OF THIS SURVEY;

THENCE: ALONG FENCE, THE LOWER WEST LINE OF SAID 47.050 ACRE TRACT OF LAND, AND THE EAST LINE OF SAID 1.62 ACRE TRACT OF LAND, N 00-09-12 E AT 488.71 FEET PASS A 3" DIAMETER PIPE CORNER POST FOR AN INTERIOR CORNER OF SAID 47.050 ACRE TRACT OF LAND AND THE NORTHEAST CORNER OF SAID 1.62 ACRE TRACT OF LAND, LEAVING FENCE AND CONTINUING A TOTAL DISTANCE OF 548.71 FEET TO A 5/8" IRON PIN SET FOR AN INTERIOR CORNER OF THIS SURVEY;

THENCE: ALONG THE WESTERNMOST UPPER SOUTH LINE OF THIS SURVEY, N 89-52-27 W 146.07 FEET TO A 5/8" IRON PIN SET FOR AN ANGLE POINT AND N 89-05-04 W 130.54 FEET TO A 5/8" IRON PIN SET FOR THE UPPER SOUTHWEST CORNER OF THIS SURVEY;

THENCE: N 00-09-12 E 383.54 FEET TO A 5/8" IRON PIN SET FOR THE NORTHWEST CORNER OF THIS SURVEY;

THENCE: S 89-50-48 E 480.53 FEET TO A 5/8" IRON PIN SET IN FENCE ON THE EAST LINE OF SAID 47.050 ACRE TRACT OF LAND AND THE WEST LINE OF A CERTAIN 8.083 ACRE TRACT OF LAND BEING A PORTION OF THAT CERTAIN 96.00 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MARVIN THOMAS RICH, ET UX FROM LITTLE J LAND COMPANY, LTD, DATED AUGUST 24, 1983, AS RECORDED IN VOLUME 640 ON PAGE 202 OF THE DEED RECORDS OF ATASCOSA COUNTY, TEXAS, FOR THE NORTHEAST CORNER OF THIS SURVEY;

THENCE: ALONG FENCE, THE EAST LINE OF SAID 47.050 ACRE TRACT OF LAND, AND THE WEST LINE OF SAID 8.083 ACRE TRACT OF LAND, S 00-14-07 W 234.06 FEET TO A 5/8" IRON PIN FOUND BY A 6N DIAMETER CREOSOTE CORNER POST FOR THE UPPER SOUTHWEST CORNER OF SAID 8.083 ACRE TRACT OF LAND, THE NORTHWEST CORNER OF A CERTAIN 0.497 ACRE TRACT OF LAND BEING A PORTION OF THE AFOREMENTIONED 96.00 ACRE TRACT OF LAND AND AN ANGLE POINT OF THIS SURVEY;

THENCE: ALONG FENCE, THE EAST LINE OF SAID 47.050 ACRE TRACT OF LAND, AND THE WEST LINE OF SAID 0.497 ACRE TRACT OF LAND, S 00-15-36 W 102.96 FEET TO A 5/8" IRON PIN FOUND BY AN 8" DIAMETER CREOSOTE CORNER POST FOR THE SOUTHWEST CORNER OF SAID 0.497 ACRE TRACT OF LAND, THE NORTHWEST CORNER OF A CERTAIN 2.964 ACRE TRACT OF LAND BEING A PORTION OF SAID 96.00 ACRE TRACT OF LAND AND AN ANGLE POINT OF THIS SURVEY;

1790 W. GOODWIN ST

THENCE: ALONG FENCE, THE EAST LINE OF SAID 47.050 ACRE TRACT OF LAND, AND THE UPPER WEST LINE OF SAID 2.964 ACRE TRACT OF LAND, S 00-10-15 W 48.16 FEET TO A 5/8" IRON PIN SET FOR THE UPPER SOUTHEAST CORNER OF THIS SURVEY:

THENCE: N 89-50-48 W 143.38 FEET TO A 5/8" IRON PIN SET FOR AN INTERIOR CORNER OF THIS SURVEY:

THENCE: S 00-09-12 W 548.33 FEET TO A 5/8" IRON PIN SET IN FENCE ON THE NORTH R.O.W. LINE OF SAID F.M. HIGHWAY 3350 (WEST GOODWIN STREET) AND THE LOWER SOUTH LINE OF SAID 47.050 ACRE TRACT OF LAND FOR THE LOWER SOUTHEAST CORNER OF THIS SURVEY:

THENCE: ALONG FENCE, THE NORTH R.O.W. LINE OF SAID F.M. HIGHWAY 3350 (WEST GOODWIN STREET), AND THE LOWER SOUTH LINE OF SAID 47.050 ACRE TRACT OF LAND, S 89-46-15 W 60.00 FEET TO THE POINT OF BEGINNING. (the "Property")

REPORTED PROPERTY

ADDRESS: 1790 W. GOODWIN ST. PLEASANTON, TX 78064

TERMS OF SALE: The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

Pursuant to Section 51.009 of the Texas Property Code, the property will be sold in "AS IS, WHERE IS" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property and the priority of the lien being foreclosed.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Mortgagee and/or Mortgage Servicer thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

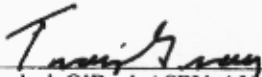
1790 W. GOODWIN ST

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Signed on the 10 day of August, 2021.

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC



Jack O'Boyle | SBN: 15768300

jack@jackobovle.com

✓ Travis H. Gray | SBN: 24044965

travis@jackobovle.com

Chris Ferguson | SBN: 24069714

chris@jackobovle.com

P.O. Box 815369

Dallas, Texas 75381

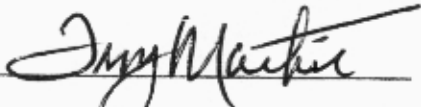
P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS MORTGAGE
SERVICER

CERTIFICATE OF POSTING

My name is Troy Martin, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on 8/12/2021 I filed at the office of the Atascosa County Clerk and caused to be posted at the Atascosa County courthouse (or other designated place) this notice of sale.

Signed: _____



Declarant's Name: Troy Martin

Date: _____

August 12, 2021

CASE NO.: 20-04-0346-CVA

**IN RE: Order for Foreclosure Concerning:
1790 W. GOODWIN ST
PLEASANTON, TX 78064**

Under Tex. R. Civ. P. 736

**PETITIONER:
WELLS FARGO BANK N.A., AS
TRUSTEE, FOR CARRINGTON
MORTGAGE LOAN TRUST, SERIES
2006-NC3 ASSET-BACKED PASS-
THROUGH CERTIFICATES**

RESPONDENT(S):
ROBERT N. MCBEE, LUCY A. MCBEE

IN THE 81ST/218TH

DISTRICT COURT

ATASCOSA COUNTY, TEXAS

DEFAULT ORDER

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited foreclosure order. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.

2. The name and last known address for each Respondent subject to this order is:

ROBERT N. MCBEE
1303 ZANDERSON AVE
JOURDANTON TX 78026

LUCY A. MCBEE
1790 W. GOODWIN ST
PLEASANTON TX 78064

LUCY A. MCBEE
1303 ZANDERSON AVE
JOURDANTON TX 78026

ROBERT N. MCBEE
1790 W. GOODWIN ST
PLEASANTON TX 78064

Filed: 6/30/2020 8:01 AM
Margaret E. Littleton
District Clerk
Atascosa County, Texas
Reviewed By: Jacquie Rowland

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3. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.

4. The property that is the subject of this foreclosure proceeding is commonly known as 1790 W. GOODWIN ST PLEASANTON TX 78064 with the following legal description:

A SURVEY OF 5.000 ACRES OF LAND SITUATED IN PART WITHIN THE CORPORATE LIMITS OF THE CITY OF PLEASANTON, ABOUT 4 MILES N 36° E OF JOURDANTON, IN ATASCOSA COUNTY, TEXAS, OUT OF SURVEY NO. 1550, ABSTRACT NO. 565. NANCY MCADA, ORIGINAL GRANTEE, BEING A PORTION OF THAT CERTAIN 47.050 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT N. MCBEE, ET UX FROM BERNICE RICH A/K/A LOIS BERNICE RICH, INDIVIDUALLY, AND AS TRUSTEE OF MARVIN & BERNICE RICH LIVING TRUST. DATED AUGUST 20, 1998, AS RECORDED IN VOLUME 99 ON PAGE 224 OF THE OFFICIAL PUBLIC RECORDS OF ATASCOSA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING: AT A 3" DIAMETER PIPE CORNER POST FOUND ON THE NORTH LINE OF F.M. HIGHWAY 3350 (WEST GOODWIN STREET) FOR THE LOWER SOUTHWEST CORNER OF SAID 47.050 ACRE TRACT OF LAND, THE SOUTHEAST CORNER OF THAT CERTAIN 1.62 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT N. MCBEE, ET UX FROM BERNICE RICH, TRUSTEE OF THE MARVIN T. RICH TESTAMENTARY TRUST, DATED JUNE 28, 2004, AS RECORDED IN VOLUME 283 ON PAGE

202 OF THE AFOREMENTIONED OFFICIAL PUBLIC RECORDS, AND THE LOWER SOUTHWEST CORNER OF THIS SURVEY;

THENCE: ALONG FENCE, THE LOWER WEST LINE OF SAID 47.050 ACRE TRACT OF LAND, AND THE EAST LINE OF SAID 1.62 ACRE TRACT OF LAND, N 00-09-12 E AT 488.71 FEET PASS A 3" DIAMETER PIPE CORNER POST FOR AN INTERIOR CORNER OF SAID 47.050 ACRE TRACT OF LAND AND THE NORTHEAST CORNER OF SAID 1.62 ACRE TRACT OF LAND, LEAVING FENCE AND CONTINUING A TOTAL DISTANCE OF 548.71 FEET TO A 5/8" IRON PIN SET FOR AN INTERIOR CORNER OF THIS SURVEY;

THENCE: ALONG THE WESTERNMOST UPPER SOUTH LINE OF THIS SURVEY, N 89-52-27 W 146.07 FEET TO A 5/8" IRON PIN SET FOR AN ANGLE POINT AND N 89-05-04 W 130.54 FEET TO A 5/8" IRON PIN SET FOR THE UPPER SOUTHWEST CORNER OF THIS SURVEY;

THENCE: N 00-09-12 E 383.54 FEET TO A 5/8" IRON PIN SET FOR THE NORTHWEST CORNER OF THIS SURVEY;

THENCE: S 89-50-48 E 480.53 FEET TO A 5/8" IRON PIN SET IN FENCE ON THE EAST LINE OF SAID 47.050 ACRE TRACT OF LAND AND THE WEST LINE OF A CERTAIN 8.083 ACRE TRACT OF LAND BEING A PORTION OF THAT CERTAIN 96.00 ACRE TRACT OF LAND DESCRIBED IN A DEED TO

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MARVIN THOMAS RICH. ET UX FROM LITTLE J LAND COMPANY, LTD.
DATED AUGUST 24, 1983, AS RECORDED IN VOLUME 640 ON PAGE 202
OF THE DEED RECORDS OF ATASCOSA COUNTY, TEXAS, FOR THE
NORTHEAST CORNER OF THIS SURVEY;

THENCE: ALONG FENCE, THE EAST LINE OF SAID 47.050 ACRE TRACT
OF LAND, AND THE WEST LINE OF SAID 8.083 ACRE TRACT OF LAND, S
00-14-07 W 234.06 FEET TO A 5/8" IRON PIN FOUND BY A 6N DIAMETER
CREOSOTE CORNER POST FOR THE UPPER SOUTHWEST CORNER OF
SAID 8.083 ACRE TRACT OF LAND, THE NORTHWEST CORNER OF A
CERTAIN 0.497 ACRE TRACT OF LAND BEING A PORTION OF THE
AFOREMENTIONED 96.00 ACRE TRACT OF LAND AND AN ANGLE POINT
OF THIS SURVEY;

THENCE: ALONG FENCE, THE EAST LINE OF SAID 47.050 ACRE TRACT
OF LAND, AND THE WEST LINE OF SAID 0.497 ACRE TRACT OF LAND, S
00-15-36 W 102.96 FEET TO A 5/8" IRON PIN FOUND BY AN 8" DIAMETER
CREOSOTE CORNER POST FOR THE SOUTHWEST CORNER OF SAID
0.497 ACRE TRACT OF LAND, THE NORTHWEST CORNER OF A CERTAIN
2.964 ACRE TRACT OF LAND BEING A PORTION OF SAID 96.00 ACRE
TRACT OF LAND AND AN ANGLE POINT OF THIS SURVEY;

THENCE: ALONG FENCE, THE EAST LINE OF SAID 47.050 ACRE TRACT

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